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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

SOUTHEAST MENTAL HEALTH CENTER, INC.,
a Tennessee not-for-profit corporation,

Plaintiff,

vs.

Cause No. 2:04cv7513-MI/V

PACIFIC INSURANCE COMPANY, LIMITED,

Defendant.

AMENDED RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates have been established as the final dates for:

COMPLETING ALL DISCOVERY: October 20, 2005

a) DOCUMENT PRODUCTION: October 20, 2005

b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR PRODUCTION: October 20, 2005

c) EXPERT WITNESS DISCLOSURES (Rule 26)

1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: August 29, 2005

2) DISCLOSURE OF DEFENDANTS' RULE 26 EXPERT INFORMATION: September 29, 2005

3) Expert Witness Depositions: October 20, 2005

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FILING DISPOSITIVE MOTIONS: December 9, 2005

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- a) For Plaintiff: Thirty (30) days prior to trial
- b) For Defendants: Twenty (20) days prior to trial
- c) Parties shall have ten (10) days after service of opposition's final witness and/or exhibit list to file objections under Rule 26(a)(3)

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery deadline. All motions, written discovery, or other filings that require a response must be filed sufficiently in advance of the discovery deadline so as to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within thirty (30) days of the default or the service of the response, answer, or objection if the default occurs within thirty (30) days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for NON-JURY TRIAL and the trial is expected to last three (3) days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

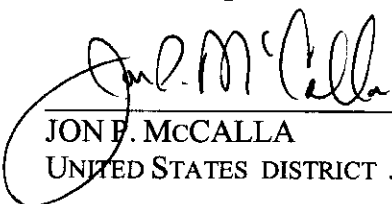
see Local Rule 72.1 (f)
~~This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.~~

The parties are reminded that, pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed.R.Civ.P. 12, 56, 59, and 60, must be accompanied by a proposed order.

The opposing party on any motion may file a response to any motion filed in this matter.. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the Magistrate Judge.

This Order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.



JON F. McCALLA
UNITED STATES DISTRICT JUDGE

DATE: _____

APPERSON, CRUMP & MAXWELL, PLC

By: _____

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Notice of Distribution

This notice confirms a copy of the document docketed as number 26 in case 2:04-CV-02513 was distributed by fax, mail, or direct printing on August 22, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT